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ABSTRACT

This report examines the variety of attitudes, actions, inactions, and beliefs that have created barriers to effective implementation of parent participation mandates of Title I of the Elementary and Secondary Education Act. Data were drawn from the monitoring experience and direct involvement with administrative complaints and litigation of the Federal Education Project of the Lawyers Committee for Civil Rights Under Law. Contained in the report are: (1) a summary of the Federal Education Project's involvement with Title I parent participation mandates: (2) an overview of the development of Title I parent participation mandates including a discussion of the rationale for parent involvement: and (3) a description of Title I formal complaint mechanisms. Problems in implementing Title I mandates are discussed, including: (1) professional norms in schools that exclude parents from decision making: (2) the failure of school officials to provide Parent Advisory Councils (PAC's) with information: (3) irregularities in PAC membership selection: (4) conflicts over control of the PACs: and (5) refusal to respond to PAC recommendations. The report concludes with recommendations by the Federal Education Project for more effective implementation of Title I parent involvement mandates.
(Author/APM)

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PROBLEMS IN IMPLEMENTING STATUTORY
REQUIREMENTS FOR TITLE I ESEA
PARENT ADVISORY COUNCILS

by

Linda Brown

IRE Report No. 2

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PREFACE

The Institute for Responsive Education's Reports are an outgrowth of IRE's continuing interest in citizen participation in educational decisionmaking. This Report, by Linda Brown, was first presented at a symposium on "The Roles of Educational Advocacy Organizations in Supporting Parent Participation in Educational Decisionmaking," at the April 1980 meeting of the American Education Research Association in Boston, Massachusetts.

Editing and production work at IRE was the responsibility of Gian Lombardo and Ross Zerchykov, aided by Owen Heleen. W. Dana Rudolph, IRE Office Manager, typed the manuscript.

ABSTRACT

This report examines the variety of attitudes, actions, inactions and beliefs that have created barriers to effective implementation of parent participation mandates of Title I of the Elementary and Secondary Education Act of 1965. The data base for this Report was based on the monitoring experience and direct involvement with administrative complaints and litigation of the Federal Education Project of the Lawyers' Committee for Civil Rights Under Law. Contained in this Report are: a brief summary of the Federal Education Project's involvement with Title I parent participation mandates; and an overview of the development of Title I parent participation mandates including a brief discussion of the debate over and the rationale for parent involvement, and a description of Title I formal complaint mechanisms. The Report goes on to cite and discuss several problems in implementing Title I parent involvement mandates. Among these problems are: the professional norms of many school officials and teachers which seek to exclude parents from educational decision-making; failure of school officials to provide information to Parent Advisory Councils (PAC's); irregularities in PAC membership selection; conflicts between school officials, Title I coordinators and PAC's over who controls the PAC; and refusal to respond to PAC recommendations. The Report further notes the Federal Education Project's recommendations for more effective implementation of Title I parent involvement mandates beyond litigation and use of the formal complaint mechanisms, such as: written response by local school districts to PAC recommendations on Title I applications; and development and dissemination by the Federal government of materials on model PAC training programs.

INTRODUCTION

It has long been the goal of the American educational system to provide children with schooling which is appropriate to their needs, and which will provide the greatest range of lifetime opportunities for each child. Consistent with the philosophical goal of American pedagogic reform, an awareness of the need to improve the effectiveness of the American public schools in educating poor and minority children has been growing for decades. A variety of efforts to reform this country's educational system have been ventured. The most widespread of these has been Title I of the Elementary and Secondary Education Act (ESEA) of 1965. Central to Title I is its provision of "client involvement" through mandated Parents Advisory Councils (PAC's).

During the early years of Title I, parents were provided with little information about the program and were not encouraged to participate in project planning, implementation or evaluation. Many school systems made little attempt to comply with other important provisions of the Title I statute, such as legal restrictions on the use of funds or requirements for equitable distribution of state and local dollars. Both Congress and the U.S. Office of Education only gradually made the mandate for parent involvement more explicit. Along with increased efforts to comply with Title I funding requirements, some school systems have implemented the parent involvement requirements of the Act. However, compliance still ranges from those who completely ignore the mandate to set up PAC's, to those who attempt to minimize its impact, to those who create largely successful parent involvement components of Title I. This Report will review and discuss some of the problems relating to the implementation of Title I parent involvement requirements from the perspective of complaints monitored or filed by the Federal Education Project on behalf of Title I parents.

The Lawyers' Committee for Civil Rights Under Law has been monitoring Title I since 1970, initially with an emphasis on the comparability and anti-supplanting provision of the law and the Federal government's handling of fiscal audits. In 1975, with the formation of the Federal Education Project, the Lawyer's Committee Title I advocacy efforts focused on providing

informational and technical assistance to Title I parents, PAC members, attorneys and other civil rights advocacy groups, and providing legal representation for Title I parents in administrative complaints and litigation. It was the belief of the Project's co-founders that by adequately informing parents about how Federal programs should be implemented -- attempting to maximize their participation in educational matters generally and creating pressure upon school personnel to conform to Federal program requirements -- the goal of improving educational results for disadvantaged students would be one step closer to achievement. The Project's four-and-one-half years of work -- during which its staff has participated in Federal, state and local meetings and seminars, workshops, and training conferences for Title I parents around the country -- has provided a wide range of firsthand experience and reports from parents and school officials on problems relating to the implementation of parent involvement requirements. This experience, in addition to the Project's direct involvement with administrative complaints and litigation, provides the data base for this Report.

BACKGROUND: HISTORY OF ESEA TITLE I

Prior to 1965 the Federal role in elementary and secondary education was extremely limited. The Federal government contributed little to the efforts to secure increased educational opportunity for poor, minority and disadvantaged children. Until 1965 the U.S. Office of Education was little more than a collector of data for use in public education programs. While the Civil Rights Act was passed in 1964, Title VI of this Act, which prohibits discrimination based on race, creed, color, or national origin by recipients of Federal funds, had no impact on schools prior to 1965 since the majority of public schools received few Federal dollars.

The passage of the Elementary and Secondary Education Act of 1965 created at once a dramatic shift and an expansion of the Federal government's role in education to the point where it now affects virtually every public school student in the United States. Title I is the most significant portion of ESEA in terms of dollars authorized by law and actually appropriated by Congress.

A look at events surrounding the passage of ESEA and the initial implementation of Title I is instructive in attempting to understand Title I's record

of success, the extent of the Federal government's enforcement of the law and regulations, and the strategies of educational advocacy groups concerned with the education of minority and low-income children.

Debate Over Intent

Debate over the propriety and desirability of Federal aid to education was waged for several years prior to the passage of ESEA in 1965. One basic argument against such aid was based on the view that, since education was a state responsibility, the Federal government should play no role in establishing formal policies regarding the operation of public schools. Some argued that, once Federal financial aid found its way into the schools, the Federal government would begin prescribing and mandating rules and policies to be followed by state and local educational agencies. The guardians of states' rights, a political philosophy that at one time sanctioned racial segregation, suspected Federal strings would be attached to Federal aid.

Another part of the debate concerned the provision of Federal aid to private schools. Several attempts to pass legislation providing Federal aid to education were blocked by a coalition of private school interests which insisted that private sectarian and other schools should also benefit from any Federal role in the financing of education.

The civil rights struggles of the early 1960's which included civil disobedience, massive arrests and violence gave a new impetus to the passage of ESEA. The essential compromise between public and private school interests was worked out within the context of Title I by specifying that children who were eligible to receive Title I services could do so regardless of whether they attended public or private schools. Federal aid was considered a benefit to the child and not the school. As long as the funds flowed through the public schools, private school children could participate in the program. With this compromise in place and President Lyndon Johnson at work to line up essential votes, ESEA was passed by Congress with unprecedented speed. The legislation was approved on April 11, 1965, and money began to flow to approximately 16,000 school districts across the nation in the fall of 1966 without the benefit of regulations spelling out how the program was to be implemented, without the existence of a Federal structure to administer and

enforce the program, and without a clear understanding of the specific purpose of this new source of school revenue.

Title I: Accountability and Parent Involvement

The purpose of Title I of ESEA, both in 1965 and at the present time, was and is to provide Federal financial assistance to local school districts serving areas with concentrations of low-income children in order to expand and improve educational programs by means designed to meet the special needs of educationally deprived children. President Lyndon Johnson expressed the goals of the program this way when he presented the legislation to Congress:

> ...[T]his bill represents a national determination that...poverty will no longer be a bar to learning, and learning shall offer an escape from poverty.

When the U.S. Senate reported on Title I just after its passage on the floor, it said:

> ...[U]nder Title I of this legislation the schools will become a vital factor in breaking the poverty cycle by providing full educational opportunity to every child regardless of economic background.

However, this message and the legislatively defined purpose of Title I was neither well understood nor supported by the majority of local school administrators. To them the debate over Federal aid to education had been resolved in favor of such aid and the distinction between general aid and special purpose or categorical aid was lost or inconsequential.

Early hopes for the success of Title I in closing achievement gaps between underachieving children in low-income areas and their age and grade level peers were dashed as evaluations of the program indicated little if any change. These findings only confirmed the views of Title I's challengers who suggested that no amount of tinkering with in-school experiences could significantly alter life chances which, they argued, were largely determined at birth. Furthermore, such critics claimed that compensatory techniques were obviously not effective. In short, Title I seemed to make no difference whatsoever. In part, this was due to the inadequacy of reliable and consistent data from which to conduct a nationwide evaluation of the program. Alarmed by Title I's lack of success in raising student achievement and repeated reports of illegal expenditures of Title I funds, several civil rights organizations, in 1968

(primarily the Washington Research Project and the NAACP Legal Defense and Educational Fund), conducted their own extensive investigation. The report of their investigation, Title I of ESEA: Is It Helping Poor Children?, concluded that Title I programs had rarely operated within the parameters intended by Congress. Therefore, no judgement could be made on the merits of Title I and the potential benefits of remediation programs.

Title I and Mandates for Parent Involvement

After review and verification of the civil rights organizations' findings, Congress and the U.S. Office of Education concluded that little Title I money had actually reached the children for whom the program was designed and that parental awareness of and involvement in the program was practically nonexistent. As a result, the law was amended to include tighter restrictions on the use of Title I funds and to provide a means for enforcing the requirements for the equitable distribution of state and local financial resources among schools. Also, provisions for parent involvement in Title I were made more explicit and detailed with each Congressional reauthorization of Title I and through changes in regulations and guidelines issued by the U.S. Office of Education.

The following chronology provides a summary of the changes in parental involvement:[1]

(1) The 1966 amendments to Title I (P.L. 89-750) required school officials to work with local community groups in developing and operating Title I programs.

(2) A U.S. Office of Education (USOE) handbook entitled Special Programs for Educationally Deprived Children (OE-35079), published in 1966, emphasized that children would have a greater chance of success in the program if their parents were involved to a greater extent than they had been in the past.

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[1] Summarized from a chronology provided in part by An Analysis of the Basis for and the Clarity and Restrictiveness of the Program Requirements Applicable to Local School Districts Applying for Grants Under Title I of ESEA, prepared by Robert Silverstein and Daniel M. Schember of the Lawyers' Committee for Civil Rights Under Law, September 1977; and in part from Title I ESEA: How It Works - a Guide for Parents and Parent Advisory Councils, published by the U.S. Department of Health, Education and Welfare, 1978.

(3) A Program Guide No. 36 issued by the U.S. Office of Education in 1967 required local school districts to develop appropriate activities or services in which parents would be involved.

(4) Program Guide No. 44 issued in 1968 reiterated the principle that parents should participate in the program. Although it did not define the nature of parental involvement, it provided some specific recommendations such as meetings with parents to determine the most important needs of children eligible for Title I services, consideration of Title I parents for job openings in the Title I program, development of activities and services that involve parents, and providing a constant flow of information to parents about Title I.

(5) Program Guide No. 46 issued July 2, 1968, suggested that school districts establish advisory councils for Title I.

(6) In 1971, Federal regulations were issued requiring the establishment of districtwide parent advisory councils. This provision was based on Section 427 of the General Education Provisions Act which authorizes the Commissioner of Education to promulgate regulations pertaining to parent involvement in the case of any Federal education program, such as Title I, in which he determines that "parental participation at the state or local level would increase the effectiveness of the program in achieving its purpose."

(7) On August 21, 1974, P.L. 93-380 extended the parental involvement requirements and, for the first time, mandated the establishment of Parent Advisory Councils (PAC's) in the Title I statute. It required that PAC's be established both at the district level and at the project area or school level.

(8) The September 28, 1976, regulations governing the implementation of the 1974 statute provided detailed requirements for PAC member selection and the involvement of PAC's in Title I programs.

(9) When Title I was reauthorized by the Education Amendments of 1978 (P.L. 95-561), the statutory requirements for establishing

PAC's, their role, access to information and training were clarified and strengthened.

(10) Proposed regulations for implementation of Title I, as amended, published on June 29, 1979, include detailed requirements for PAC's. Final regulations are yet to be published.

Rationale for Parent Involvement

The rationale for parent involvement in Title I can be summarized in terms of three major premises. First, when parents are actively involved in the education of their children, their children's educational achievement is enhanced. The demonstrated interest of parents in their children's well-being can be a motivating factor; parents' role in educational decisionmaking can contribute to development of programs and strategies that will better meet the needs of their children; and parents' efforts to work with their children to reinforce what is being taught at school in the home can increase the effectiveness of the school's efforts. Second, parents who are involved in all aspects of Title I, including the planning of projects, their implementation, and their evaluation, can effectively function as local level monitors and help assure that Title I funds are used according to the law and regulations. Finally, Title I Parent Advisory Councils can function as liaisons between the community and the school and help to foster badly needed community support for the schools.

While the above goals and purposes do not represent a shared understanding by all school officials, parents, and advocates, they have been part of the rationale generally expressed by proponents of parent involvement and have provided Congress with justification for strengthening the law's parent involvement requirements.

Monitoring Implementation of Title I Parent Involvement Requirements

Since its inception in 1975, the Federal Education Project has assisted parents and PAC members in filing administrative complaints under Title I and having them satisfactorily resolved. Prior to the Education Amendments of 1978 (P.L. 95-561), which reauthorized Title I, the law did not provide or specify any mechanisms for complaint resolution at the local or Federal level. States were required under the 1974 statute to develop complaint procedures. However, even prior to enactment of P.L. 95-561, under the enforcement responsibility assigned

to the Commissioner of Education by the Title I statute and the General Education Provisions Act, Title I advocates pressed the U.S. Office of Education to fulfill its obligation to resolve complaints alleging violations of the Title I law, regulations and guidelines. The lack of written procedures and time-frames for carrying out this responsibility meant that some complaints were ignored, most were not responded to in a timely fashion, and, often, the final resolution brought about no change. Even though State Educational Agencies (SEA's) were required by law to develop complaint procedures, most did not. Procedures that were developed were often inadequate or too difficult for parents to use because of the large number of steps involved and the detailed information required in a complaint. The U.S. Office of Education did not monitor states' compliance with the complaint procedures requirement nor did it provide them with technical assistance in developing easy to use, timely and efficient procedures.

With the amendment of Title I in 1978, local and state educational agencies and the U.S. Office of Education now are required to have written complaint procedures that, as a minimum, include the following (Sections 128, 168 and 184 of the Title I statute, P.L. 95-561):

(1) Time-frames for investigating and resolving complaints which for local educational agencies should not exceed 30 days; a 60-day maximum is alloted to state educational agencies and the USOE.

(2) An opportunity for the complaining party and that person's representative to present evidence pertinent to the complaint to those charged with resolving it and to question other parties involved in matters relevant to the complaint.

(3) The right to appeal the final resolution by the local or state agency to the next higher level within 30 days of receipt of a written decision on the complaint.

(4) Dissemination of information concerning the complaint procedures to PAC members and others.

The Federal Education Project has assisted PAC members in utilizing the formal complaint procedures spelled out in P.L. 95-561, but it has also advised them on how to resolve complaints informally. The informal process has helped

in some instances to avoid the escalation of conflict between PAC members and school administrators that may occur once a formal complaint is filed. The informal process is an especially good choice when the complaint seems to be based on a lack of communication but not necessarily a deliberate attempt to thwart the PAC's efforts to be informed of and involved in Title I. This Report is based on information from both formal and informal complaints.

PROBLEMS IN IMPLEMENTING TITLE I PARENT INVOLVEMENT REQUIREMENTS

A variety of attitudes, actions, inactions, and beliefs have created barriers to effective implementation of the requirements for setting up Parent Advisory Councils and involving them in the array of activities that would foster achievement of their goals.

Professional Norms

Many school officials and teachers simply do not believe that parents should play a role in educational decisionmaking. They jealously guard their professional prerogatives and do not perceive parents as capable of understanding the educational process sufficiently to make any useful contribution to decisions about needs of children, teaching strategies, and design of programs. This attitude which considers parents incompetent in educational matters leads to a power struggle which manifests itself in a variety of ways, including a refusal by school officials to provide information that is essential to parents in order to have an informed opinion or to carry out the role designated for PAC's. Attempts to control the activities of the PAC's and to direct PAC members away from full involvement, and simply ignoring any input or inquiries from the PAC are frequent results of such power struggles.

In some instances, while school officials are not hostile to parent involvement, they have not regarded it as a high enough priority to make it work effectively. This attitude has been fostered by a lack of leadership or interest in parent involvement at the Federal and State levels which in turn signals to local school officials the lack of importance attached to compliance with parent involvement requirements. In communities where low-income parents have not been actively involved in school affairs or have not had opportunities to develop organizational and leadership skills, they are especially dependent upon the

efforts of school officials to facilitate the operation of the PAC's by providing information that is understandable and timely. For example, the process for nominating and electing PAC members can be enormously complicated if parents are not adequately notified of the purpose and role of PAC's, and the time, place and procedures for nominating and electing PAC members. When the role of the PAC's is not perceived as important by school officials, sufficient planning and resources to help PAC's operate are often missing.

Some school personnel are unable to work effectively with low-income parents because of cultural and racial biases or because they fault the victims of poverty for their condition. Resentment, lack of respect, and stereotypes create communication barriers that technical expertise and know-how find hard to overcome.

In recent years the Federal government and some SEA's have improved somewhat in providing information to local school officials on what they are required by statute and regulation to do in order to comply with the parent involvement requirements. However, the importance of the requirements and information on how to effectively work with PAC's needs to be stressed more forcefully. Many school officials lack the expertise to work with parents, especially minority and low-income parents, and they need technical assistance in overcoming these problems.

Efforts to thwart parent involvement are often based on a fear that by "meddling" in school affairs, parents will uncover poor or illegal administrative practices. In some instances local rules or restrictions on parent participation or access to information have been designed to discourage particular parents who are viewed as troublemakers.

Often, PAC members are provided with insufficient information and training to fully understand the purpose of the PAC or how they should go about fulfilling their role. This has led to frustration and discouragement for members which produces poor relationships with school officials. These kinds of problems foster additional hostility, especially on the part of parents who already believe that the school system has failed to care about and educate their children.

Access to Information

The most frequent complaint brought to our attention is the failure of

school officials to provide information to PAC's that is essential to the fulfillment of their legally mandated role. This includes copies of the law, regulations, current and prior Title I applications and evaluations, and training materials. Keeping PAC's ignorant of the law, regulations, Title I school targeting and spending decisions, and the educational results of the program are effective ways to keep them powerless.

The regulations published in September 1976 to implement the 1974 Title I statute required school officials to provide PAC members with a copy of the Title I law, regulations and guidelines, any relevant state regulations and guidelines, and training materials, and to make available all current and previous applications, evaluations and reports to the state. After passage of the 1978 amendments which elevated the first part of this access to information requirement to the prominence of statute, school officials appeared to place much greater emphasis on providing PAC's with this information. Unfortunately, increased awareness of the access to information requirement also produced a backlash that resulted in a Congressional amendment (P.L. 94-46) that changed the requirement which had stated that each PAC member was to receive a copy of the Federal Title I law and any Federal or state regulations and guidelines pertaining to Title I, to require only that each PAC must receive such information. Outcries from school officials about the costs of excess paperwork caused by the information requirements of P.L. 95-561 made it clear that they had not complied with these very same requirements that were part of the regulations published in 1976. If they had, repetition of this same requirement, only this time in the statute itself, would not have caused such furor.

PAC Membership Elections

Irregularities in PAC membership nominations and elections are another frequent subject of formal complaints. Generally, these complaints have dealt with the assignment to the PAC, or restriction from eligibility for election, of a particular category of individuals. Some school districts have either designated a certain number of slots on the PAC for teachers or administrators, or ruled all school personnel ineligible. The latter stipulation has often arisen when a Title I parent has been especially active in the program and is eventually hired by the school district as a teacher aide or to work with the Title I staff in some capacity such as a school/parent liaison person. This

may be the most knowledgeable and helpful person to have on the PAC and if parents want to elect a school employee to represent their interests they have that right under the law.

The 1974 Title I statute specified that parents were to select their own representatives to serve on PAC's. The 1978 statute mandated that an election be the selecting mechanism. Any state or local rules or policies about who can or cannot serve on the PAC comprise illegal interference with parents' rights to elect PAC members. The reasons for the frequency of this type of manipulation of the membership of the PAC's are varied and are based on assumptions that teachers or administrators know best how the PAC should operate and what it should do, or that it is only fair that administrators have their own representatives on the councils. We also often hear patronizing statements by school officials suggesting that parents cannot be trusted to know who can or cannot adequately represent their interests.

A host of other election irregularities have been the subject of complaints. Many demonstrate either gross incompetence in following a reasonable, efficient, legal process for holding nominations and elections, or that too little time, attention and interest is devoted to making the process work well. Often the convenience of the process for parents is completely overlooked and then parents are faulted for being apathetic when election or meeting turn-out is poor. A chaotic nomination and election process quickly discourages parents from participating in PAC's or believing that the school system prizes their involvement. To parents, this is viewed as a slap in the face or one more example of an institution that does not care. Typically, this sort of problem is not handled well in the complaint resolution process because of the reluctance of state and Federal officials to provide helpful technical assistance to a local agency once the formality of the complaint resolution mechanism has been initiated. The Federal Education Project's greatest success in resolving a particular complaint of this nature was the result of a serious effort on the part of the parties involved in the complaint to work out a detailed and complete scheme for workable, new nomination and selection procedures. The complaint was then officially withdrawn once the consent agreement between the complainant and the school officials was signed by all parties. Without the filing of a formal complaint, however, negotiations would never have occurred since numerous such attempts had been

made beforehand to negotiate an agreement. The conclusion drawn from this experience is that both Federal and state officials should be prepared to provide helpful, competent technical assistance to PAC's and school officials that are having difficulties working out the design and implementation of good election procedures.

Control Over PAC Meetings

Seemingly endless struggles have occurred between school officials, usually the Title I Coordinator, and PAC's over who will control the PAC. These struggles have been characterized by school officials determining when, where and how often PAC's should meet; who should send out meeting notices; who should set the agenda; and who should chair the meeting. While the law and regulations do not address these issues item by item, it is clear that the PAC is meant to be a body representing parents, especially parents of Title I participants. The Federal Education Project has successfully argued that decisions on these matters are to be made by the PAC members themselves and should be addressed in by-laws developed by the PAC for its operation. Even with the successful resolution of complaints addressing these matters, PAC's are still harassed by a refusal of school officials to permit PAC's to hold their meetings on school property at a time of their choosing. The formal complaint process cannot create good will or a spirit of cooperation where such attributes are lacking. Rather, training and technical assistance for both PAC members and school officials and positive leadership by state and Federal officials hold the greater part of the solution to these problems.

Responses to PAC Recommendations

The clearly defined responsibility of Title I PAC's is "...advising it [the local education agency] in the planning for, and implementation and evaluation of, its programs and projects assisted under this title [Title I]." (§125 (b) of P.L. 95-561).

Increasingly, we are receiving complaints from PAC members who say that their recommendations are being ignored. We suspect the reason for the increase in such complaints is that more PAC's have gotten through their earlier struggles to have PAC's actually set up and provided with sufficient information, training and opportunities to comment on the Title I application and now they have begun

to focus on making substantive recommendations. The role of PAC's as defined by the law and regulations is one of an "advisory" council rather than that of a body having final approval or veto power. To date, formal complaints have not successfully challenged the notion that the whole concept of PAC's and parent involvement is undermined if PAC recommendations are ignored; however, such challenges can be expected. One possible outcome may be that school officials will be compelled to respond to PAC recommendations in writing. They may also be required to include adequate justification for not adopting a PAC recommendation in the Title I application to the state for its consideration in approving the application. Where a state does not view the school district's rationale for not accepting the PAC recommendation as sufficient, that state could then refuse to approve the application for funding.

Federal and State Roles

The 1978 Education Amendments significantly strengthened the role and responsibilities of states in monitoring the implementation of and in enforcing Title I legal requirements. States must now submit to the U.S. Office of Education at least every three years monitoring and enforcement plans that provide the following: (i) a schedule of on-site monitoring visits to school districts receiving Title I funds; (ii) a description of what will be reviewed during these visits; (iii) methods for verifying the information obtained; (iv) procedures for audits of expenditures and the recovery of misspent funds; (v) complaint resolution procedures; and (vi) a description of how the state will assure that private school children are receiving their fair share of services.

Additionally, beginning with the second monitoring and enforcement plan filed with the Federal government, each plan must include a description of monitoring activities undertaken by a state in the years since the previous plan was submitted.

It is too early to say whether or not states are complying with these new requirements or whether implementation of the requirements will have any effect on improved state performance regarding monitoring and enforcing parent involvement requirements at the local level.

Certainly the capacity, willingness and performance of the states has been extremely varied. The September 19, 1977 report of the National Institute of

Education, Administration of Compensatory Education, found that instead of engaging in enforcement activities, some states functioned more as buffers between the Federal government and local school districts. States also were found to vary in the frequency of their communications about Title I with local districts and in the vigor of their technical assistance efforts. For example, some sent out no mailings on Title I and held no conferences or workshops, and one state made no visits to local school districts to monitor for compliance. Some of these differences were attributed to the varying size of state staff available for Title I purposes. The numbers of employees hired to administer Title I ranged from 3 to 101, with an average of 18.

A few states have taken positive steps to resolve problems that have been brought to their attention by parent advocates and PAC's. In states where there is strong leadership that is sympathetic to parent involvement concerns, the Federal Education Project has been able to informally obtain the direct assistance of state officials in taking actions such as telling a local school superintendent that PAC's must be established, or that training and information must be provided. However, even in these few states, receptivity to parent advocates does not suggest that a comprehensive system for monitoring and enforcing parent involvement requirements exists.

The Federal government has shown by its action that parent involvement carries a low priority among its Title I responsibilities. Even where program reviews of state and local performance have cited the area of parent involvement as in need of improvement, little, if any, follow-up has been undertaken to assure that recommendations are implemented. The U.S. Office of Education has indicated its lack of interest in and concern with parent involvement in other, more subtle ways as well. For example, until 1978, the U.S. Office of Education never made, during the thirteen years of Title I's existence, parental involvement the focus of any of its hundreds of meetings and conferences. It took a Congressional mandate in 1978 to persuade the U.S. Office of Education to provide technical assistance to school officials to help them work more effectively with parents and PAC's. The first such regional conference to implement this Congressional mandate was held in March 1980.

In 1978, USOE republished its 1973 booklet, Title I ESEA: How It Works: A Guide for Parents and Parent Advisory Councils. However, the material in the

publication has been outdated by the 1974 and 1978 reauthorizations of Title I. Publication of inaccurate, outdated, misleading information provides a clear signal to parents and administrators that the USOE cares so little about parent involvement that it has expended no resources to make available helpful or accurate information for parents since 1973.

On September 10, 1979, for the first time in the history of the Title I program, USOE ordered a state to withhold Title I funds from a local school district because of failure to comply with Title I parent involvement requirements. Even then, however, the decision came nine months after parents first filed their complaint with local school officials to obtain compliance with parents' legal rights to elect PAC members of their choice, unhindered by local restrictions. The complaint had to be appealed all the way to the Federal level where it took a law suit to persuade the Federal government to develop procedures, as required by Title I law, for receiving and resolving complaints and to then use those procedures in this case. That particular withholding order by the USOE has been appealed and, meanwhile, the USOE refuses to use its cease and desist powers to obtain compliance. The U.S. Office of Education exceeded by three months its own established time-frame of 60 days for the Commissioner of Education to respond to appeals resulting from the Deputy Commissioner's decision against the school district, bringing to over a year the amount of time it took for parents to receive a final response on the merits of the complaint. Meanwhile, noncompliance continues and Title I funds continue to flow to the offending school district.

POLICY AND RESEARCH IMPLICATIONS

It is clear from the Federal Education Project's experience with Title I PAC's that noncompliance with both the letter and the spirit of Title I's legal requirements for parent involvement is pervasive. Litigation and the use of formal complaint mechanisms have limited value in bringing about effective parental involvement, though they are both critical tools in pressing for change. Additional steps must be taken if efforts to involve Title I parents in the education of their children are to come even close to achieving the goals and purposes outlined earlier in this Report. The following recommendations suggest

activities that could advance the effectiveness of parental involvement in Title I:

(1) Local school districts should be required to submit written responses to the PAC on each of the PAC's recommendations regarding either the Title I application (the plan for the program) or the evaluation process. These responses should explain why any PAC recommendation was not adopted. The PAC should be given an opportunity to rebutt those reasons in writing. The inclusion of this correspondence in the application submitted to the state for funding should be required. States should be authorized to disapprove applications which do not provide adequate reasons for not accepting PAC recommendations.

(2) Federal and state monitoring should be required to include interviews by the monitors with the PAC chairperson and several of the PAC's other members (as designated by the PAC to play this role) to ascertain the degree of compliance with parent involvement requirements.

(3) The Federal government should develop and disseminate information and materials on model PAC training programs and provide technical assistance to local and state school officials on how to implement or adopt the models locally. Though Section 125(f) of P.L. 95-561 calls upon the National Institute of Education (NIE) to develop and disseminate training models, in a letter to the Federal Education Project, NIE's Acting Director stated that neither this activity, nor plans for it, are underway.

(4) Research should be conducted by the new Department of Education to determine what kinds of assistance, materials, and information state and local education agencies need to more effectively comply with Title I parent involvement requirements and how best to meet those needs. To have any impact, the Department will then need to follow through and provide that assistance or facilitate its delivery. States then should be required to develop and implement a program to provide ongoing technical assistance to local school districts on

parent involvement. This whole effort would capitalize on the potential positive impact of Federal and state leadership.

(5) Research should be conducted on the extent of compliance with the current legal requirements for parent involvement. Such a study was originally intended to be part of the NIE study of compensatory education mandated by the 1974 Title I statute. However, the study was aborted.

ABOUT THE AUTHOR

Linda Brown is the Director of the Federal Education Project of the Lawyers' Committee for Civil Rights Under Law. The Lawyers' Committee, a non-profit organization, was established in 1963 at the urging of President John F. Kennedy to deploy the resources and skills of the nation's leading law firms on behalf of minorities and the poor. Today, through a national staff, specific projects focusing on discrete areas and issues, and continued financial and pro bono services donated by private law firms, the Lawyers' Committee conducts litigation, informational, monitoring and legislative activities in the areas of Federal education programs, school financing, desegregation of schools, employment discrimination, voting rights, alien rights, government services equalization, and legal and human rights in South Africa.

The Federal Education Project was established by the Lawyers' Committee in 1975 to focus specifically on Title I (compensatory education) of the Elementary and Secondary Education Act and sex equity in vocational education. Linda Brown became the Project's Director in 1977.

Linda Brown's professional life has centered on issues of social justice and equal educational opportunity. Prior to coming to the Lawyers' Committee, Ms. Brown was Director of the Human Resources Department in the national office of the League of Women Voters Education Fund. In the late 60's and early 70's she was a civil rights specialist in the Office for Civil Rights of the Department of Health, Education and Welfare. She has a Master of Arts degree in special education.

ABOUT THE INSTITUTE FOR RESPONSIVE EDUCATION

The Institute for Responsive Education (IRE) is a private, non-profit, national research, policy analysis and technical assistance organization with a seven-year history of conducting studies on and disseminating information about community involvement in school decisionmaking. Although private and independent, IRE is housed at Boston University, where its President and founder, Don Davies, formerly Deputy Commissioner in the United States Office of Education, is now Professor in the School of Education.

Founded on the premises that citizen participation is an essential ingredient in school improvement and that citizens' access to information is indispensable for effective participation, IRE has, throughout its seven-year history, produced more than 22 reports including field-research monographs, bibliographies and literature reviews, and translations of complex, educational issues into popular form.

IRE Reports are yet another series of publications that have arisen from continuing IRE efforts to better understand and assist citizen participation in educational decisionmaking and to disseminate this information and experience to citizens, educators and policymakers.

IRE has been involved in other facets of citizen participation which include school-community councils, citizen roles in educational collective bargaining, Federal and state policies affecting citizen participation, the role of citizen-initiated organizations, declining enrollment, and citizen action research for school improvement.

In all of its work, IRE stresses a combination of study and action which makes for richer and more useful research and for action that has a solid base of data and experience. Hence, in addition to conducting studies and producing reports aimed primarily at policymakers, IRE has continued to collect and disseminate materials for community groups and citizens interested in school decisionmaking. To this end, IRE houses an ongoing Clearinghouse of Information for Citizens and publishes a national newsletter, Citizen Action in Education. Through this Clearinghouse, IRE addresses community-based education needs by the continual collection of reports, studies and handbooks, the publication of packets and resource guides, and, whenever possible, the dissemination of

information in response to phone calls and written requests. With a subscription list of nearly 24,000, Citizen Action in Education reports on current developments and models in the field of citizen participation in educational decisionmaking.

In order to expand the Clearinghouse and its utility, we openly invite more materials on citizen participation and, specifically, on parent participation mandates in Title I. This will assist us in our efforts to provide more specific information to groups and individuals requesting assistance. Please send materials and ideas to:

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